

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Phillip Boyd McLeod**

**Docket No. 5:21-CR-45-1M**

**Petition for Action on Supervised Release**

COMES NOW Lee Holmes, Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Phillip Boyd McLeod, who, upon an earlier plea of guilty to Possession of Ammunition by a Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2), was sentenced by the Honorable Richard E. Myers II, Chief United States District Judge, on September 28, 2021, to the custody of the Bureau of Prisons for a term of 48 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Phillip Boyd McLeod was released from custody on December 27, 2023, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On April 12, 2024, the defendant was charged with Driving While Impaired and Speeding in Johnston County, North Carolina (24CR281553). The defendant allegedly relieved his wife of driving duties unexpectedly and blew a .08% BAC, per highway patrol records. The charge is pending in state court. It is recommended that the defendant complete 60 days of remote alcohol monitoring due to the alleged criminal conduct. Additionally, the treatment counselor at First Step Services was notified of the incident and will address it with Mr. McLeod. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall abide by all terms and conditions of the Remote Alcohol Monitoring Program, as directed by the probation officer, for a period not to exceed 60 consecutive days.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Maurice J. Foy

Maurice J. Foy  
Supervising U.S. Probation Officer

/s/ Lee Holmes

Lee Holmes  
Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 910-354-2568  
Executed On: April 26, 2024

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ORDER OF THE COURT

Considered and ordered this 29<sup>th</sup> day of April, 2024, and ordered filed and made a part of the records in the above case.

Richard E. Myers II

Richard E. Myers II  
Chief United States District Judge